

IN THE UNITED STATES DISTRICT
COURT FOR THE WESTERN DISTRICT OF
VIRGINIA
Roanoke Division

DENIECE PAGANS, JANET SWEET,
SAFI M. RIAZ, BESSIE M. MCADAMS,
KEITH O. EDWARDS and PETER H.
DARGEL, individually and on behalf of all
other similarly situated,

Plaintiffs,

v.

ADVANCE STORES COMPANY,
INCORPORATED, THE BOARD OF
DIRECTORS OF ADVANCE STORES
COMPANY, INC. and THE
RETIREMENT COMMITTEE OF
ADVANCE AUTO PARTS, INC. 401(k)
PLAN,

Defendants.

Civil Case Action No. 7:21-cv-00549-MFU

Honorable Michael F. Urbanski

**PLAINTIFFS' UNOPPOSED MOTION FOR PRELIMINARY APPROVAL OF CLASS
ACTION SETTLEMENT, APPROVAL OF FORM AND MANNER OF CLASS NOTICE,
AND SCHEDULING OF A FAIRNESS HEARING**

Plaintiffs Janet Sweet, Safi M. Riaz, Bessie M. McAdams, Keith O. Edwards, and Peter H. Dargel, (together, "Plaintiffs"), by and through their attorneys, and on behalf of the Advance Auto Parts, Inc. 401(k) Plan (the "Plan"), respectfully submit this Unopposed Motion for Preliminary Approval of Class Action Settlement entered into with Defendants.¹ (the "Settlement" or "Settlement Agreement"), Approval of Form and Manner of Class Notice, and Scheduling of a Fairness Hearing ("Motion for Preliminary Approval") and respectfully move Court for an Order granting the relief sought. The grounds for this motion are

¹ Defined in the Settlement Agreement as Defendants Advance Stores Company, Incorporated ("Advance"), the Board of Directors of Advance Stores Company, Inc. ("Board") and the Retirement Committee of Advance Auto Parts, Inc. 401(k) Plan, ("Committee"), and the Plaintiffs, on behalf of themselves, the Plan, and each of the Settlement Class members.

set forth in Class Counsel's declaration and the memorandum of law in support of this motion, which are submitted herewith.

A Proposed Order is submitted herewith.

DATED: December 19, 2023

CAPOZZI ADLER, P.C.

/s/ Mark K. Gyandoh

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*Attorneys for Plaintiffs, the Plan
and the Proposed Class*

CERTIFICATE OF SERVICE

I hereby certify that on December 19, 2023 a true and correct copy of the foregoing document was filed with the Court utilizing its ECF system, which will send notice of such filing to all counsel of record.

/s/ Mark K. Gyandoh
Mark K. Gyandoh